# IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY	§	
COMMISSION,	§	
	§	
And	§	
	§	
UNITED STATES OF AMERICA,	§	
	§	
Plaintiffs,	§	Civil Action No.: 1:11-CV-827-LY
<b>v.</b>	§	
	§	
TEXAS DEPARTMENT OF AGRICULTURE,	§	
	§	
And	§	
	§	
TEXAS GENERAL LAND OFFICE,	§	
	§	
<b>Defendants.</b>	§	

# JOINT MOTION TO DISMISS PURSUANT TO COMPROMISE AND SETTLEMENT AGREEMENT

Plaintiffs, the Equal Employment Opportunity Commission ("EEOC") and the United States of America ("United States"), and Defendants, the Texas Department of Agriculture ("TDA") and the Texas General Land Office ("GLO") (hereinafter collectively "Defendants"), jointly move this Court to enter and approve the filing of the Compromise and Settlement Agreement ("Agreement") attached to this Motion as **Exhibit "A"**, and to dismiss this action pursuant to the Agreement. In support of this Motion, the parties state as follows:

- 1. The parties have agreed to terms of monetary and other relief that will resolve this lawsuit without the further time and expense of litigation.
- 2. The terms of their agreement are set forth in a Compromise and Settlement Agreement attached hereto (Exhibit "A").
- 3. The parties have agreed to have this Compromise and Settlement Agreement filed

as the final resolution document.

WHEREFORE, the parties respectfully request that the Court approve the filing of the Compromise and Settlement Agreement and enter it into the record of this case, and dismiss this case with prejudice pursuant to the terms of the Agreement.

Respectfully submitted,

P. DAVID LOPEZ
General Counsel
JAMES L. LEE
Deputy General Counsel
GWENDOLYN YOUNG REAMS
Associate General Counsel

OFFICE OF THE ATTORNEY GENERAL General Litigation Division 300 W. 15<sup>th</sup> Street, 11<sup>th</sup> Floor Austin, Texas 78701 Telephone: (512) 463-2120 Facsimile: (512) 320-0667

By: \_/s/ Robert A. Canino
ROBERT A. CANINO
Regional Attorney
Oklahoma State Bar No. 011782

By: /s/ Drew L. Harris

DREW L. HARRIS

Assistant Attorney General

State Bar No. 24057887

drew.harris@texasattorneygeneral.gov

/s/ Judith G. Taylor
JUDITH G. TAYLOR
Supervisory Trial Attorney
Texas State Bar No. 19708300
judith.taylor@eeoc.gov

Attorneys for Defendant Texas Department of Agriculture

\_\_\_/s/ Patrick M. Connor PATRICK M. CONNOR Trial Attorney Texas State Bar No. 24076165 patrick.connor@eeoc.gov BEATTY BANGLE STRAMA P.C. 400 West 15th Street, Suite 1450 Austin, Texas 78701 Telephone: (512) 879-5050 Facsimile: (512) 879-5040

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

San Antonio Field Office 5410 Fredericksburg Road, Suite 200 San Antonio, Texas 78229-3555 Telephone: (210) 281-7636 Facsimile: (210) 281-7669 By: \_\_/s/ Matthew R. Beatty\_\_\_\_ MATTHEW R. BEATTY State Bar No. 24001169 mbeatty@bbsfirm.com BRIAN C. POTTER State Bar No. 24065921

**Attorneys for Plaintiff Equal Employment Opportunity Commission** 

**Attorneys for Defendant Texas General Land Office** 

## For Plaintiff United States of America:

THOMAS E. PEREZ
Assistant Attorney General
Civil Rights Division

By: \_\_/ss/ Delora L. Kennebrew\_\_\_\_

DELORA L. KENNEBREW (GA Bar No. 414320)

Chief

**Employment Litigation Section** 

/s/ Audrey Wiggins

AUDREY WIGGINS (DC Bar No. 461662)

Deputy Chief

Audrey. Wiggins@usdoj.gov

\_\_/s/ Amy M. Kurren

AMY M. KURREN (CA Bar No. 270423)

BRIAN MCENTIRE (VA Bar No. 48552)

Trial Attorneys

U.S. Department of Justice

Civil Rights Division

**Employment Litigation Section** 

950 Pennsylvania Avenue, NW

Patrick Henry Building, Room 4238

Washington, DC 20530

Amy.Kurren@usdoj.gov

Telephone: (202) 305-7416

Facsimile: (202) 514-1005

#### **ROBERT PITMAN**

United States Attorney

## ZACHARY C. RICHTER (TX Bar No. 24041772)

**Assistant United States Attorney** 

United States Attorney's Office

Western District of Texas

816 Congress Avenue, Suite 1000

Austin, TX 78701

Telephone: (512) 370-1254

### **Attorneys for Plaintiff United States of America**